

REMARKS

Claims 1-23 are pending. Claims 1, 7, 13, 19, 20, 22, and 23 have been amended. Claims 9 and 15 have been cancelled. Claims 24 and 25 are new. Claims 1-8, 10-14, and 16-24 remain in the application. No new matter has been entered.

Claims 20, 22, and 23 have been amended to correct minor clerical errors and not for reasons relating to patentability or substantive rejection.

Claims 1-23 stand rejected under 35 U.S.C. §102(b) as being anticipated by UK Patent Application No. GB 2 324 627, to Pan et al. ("Pan"). A claim is anticipated under 35 U.S.C. §102(b) when each element specified by the claim is found in a single reference. *See, Crown Ops. Int'l., Ltd. v. Solutia Inc.*, 289 F.3d 1367 (Fed. Cir. 2002). Applicant traverses the rejection.

Pan discloses an interface for computer discussion technologies that includes a client applet to communicate with an NNTP server application, chat server application, mail server application, and super-server application (p. 17, lines 16-23). The client applet can be extended to provide flexible filtering of undesired content and a user's filtering criteria is preferably stored within the super-server application, which also preferably performs the filtering itself (p. 27, line 17-p. 28, line 5). The client applet can be extended to provide collaborative filtering of messages with one criterion based on whether a particular article or thread was read by other users (p. 28, lines 6-14). The client applet can also be extended to provide custom newsgroups by applying filtering criteria across several newsgroups, which allows a user or administrator of the super-server application to create a custom "newsgroup" that appears to the user as a newsgroup (p. 33, lines 1-7). The custom newsgroup is an aggregation of messages that meet a set of criteria specified by the user or administrator of the super-server to specify the newsgroups or part of an improved newsgroup hierarchy across which the specified filtering is applied (p. 33, lines 7-14). Like other filtering tasks, the custom newsgroup feature is best implemented within the super-server application to keep the client applet from having to download many

articles from different newsgroups to apply the selection criteria (p. 33, line 21-
p. 34, line 2).

In contrast, independent Claims 1, 7, 13, and 19 have been rewritten to
incorporate the limitations of Claims 24 and 25 and recite determining and
5 updating the digest based on one or more of the sender-independent message-
based rules that specify characteristics of the digest. No new matter has been
introduced. Support for the amendments can be found in the specification on
page 5, line 30-34 and p. 8, line 14-p. 9, line 14. Thus, each particular selected
candidate message is integrated into the individual digest that corresponds to the
10 set of sender-independent message-based rules that the message satisfies and the
characteristics of the individual digest, such as a threshold number of received
messages, a predetermined inbox size, a predetermined user activity level, are
automatically applied. Such dynamic message-based determination and updating
of digest characteristics is neither taught nor suggested by Pan. Instead, Pan
15 teaches a simple filter-and-aggregate scheme in which those messages that meet a
specific set of criteria are included in a “custom” newsgroup that is not a distinct
newsgroup carried by NNTP servers (p. 33, lines 1-7).

Conversely, Pan *teaches away* from the system, method, and storage
medium for managing electronic messages, defined by Claims 1, 7, 13, and 19.
20 Pan discloses implementing the filtering preferably within the super-server
application to keep the client applet from having to download many articles from
different newsgroups to apply the selection criteria (p. 33, line 21-p. 34, line 2).
In contrast, Claims 1, 7, 13, and 19 recite monitoring an information stream
comprising a plurality of candidate messages and selecting one or more of the
25 candidate *in* the information stream, whereas Pan teaches having to first download
articles from different newsgroups before being able to apply a selection criteria
(p. 33, line 21-p. 34, line 2).

Accordingly, a *prima facie* case of anticipation under 35 U.S.C. §102(b)
has not been shown with respect to Claims 1, 7, 13, and 19. Claims 2-6 and 21
30 are dependent on Claim 1 and are patentable for the above-stated reasons, and as

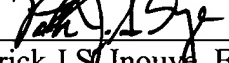
further distinguished by the limitations therein. Claims 8, 10-12, 22, and 24 are dependent on Claim 7 and are patentable for the above-stated reasons, and as further distinguished by the limitations therein. Claims 14, 16-18, 23, and 25 are dependent on Claim 13 and are patentable for the above-stated reasons, and as further distinguished by the limitations therein. Claim 20 is dependent on Claim 19 and is patentable for the above-stated reasons, and as further distinguished by the limitations therein. Withdrawal of the rejection under 35 U.S.C. 102(b) is respectfully requested.

The prior art made of record and not relied upon has been reviewed by the applicant and is considered to be no more pertinent than the prior art references already applied.

Claims 1-8, 10-14, and 16-24 are believed to be in condition for allowance. Per 37 CFR 1.16(i), payment for the two new claims is included. Entry of the foregoing amendments is requested and a Notice of Allowance is earnestly solicited. Please contact the undersigned at (206) 381-3900 regarding any questions or concerns associated with the present matter.

Respectfully submitted,

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